

Notice of Allowability

Application No.

10/632,011

Examiner

Hai C. Pham

Applicant(s)

SUBIRADA ET AL.

Art Unit

2861

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 09/21/05.
2. ☒ The allowed claim(s) is/are 1-6, 14, 26 and 27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Larry K. Roberts on November 22, 2005.

The application has been amended as follows:

IN THE CLAIMS:

- Claim 7: Cancelled.
- Claim 8: Cancelled.
- Claim 9: Cancelled.
- Claim 10: Cancelled.
- Claim 11: Cancelled.
- Claim 12: Cancelled.
- Claim 13: Cancelled.
- Claim 15: Cancelled.
- Claim 16: Cancelled.
- Claim 17: Cancelled.
- Claim 18: Cancelled.
- Claim 19: Cancelled.

- Claim 20: Cancelled.

2. The following is an examiner's statement of reasons for allowance: Claim 1 is patentable over the prior art patents and printed publications because of the specific method for calibrating an optical sensor of a color image forming device, the method comprising the steps of moving the carriage supporting the optical sensor to a service area of the image forming device where a prefabricated optical sensor target is positioned, the target including a plurality of target patches of predetermined colors, acquiring one or more images of said plural target patches, and performing a plurality of calibrations of the optical sensor based on the one or more acquired images. The combined limitations as currently claimed are not taught by the prior art of record considered alone or in combination.

Claim 14 is patentable over the prior art patents and printed publications because of the specific method for calibrating an optical sensor of a color image forming device, the optical sensor including a sensor array having a longitudinal extent, the method comprising the steps of moving the carriage supporting the optical sensor to a service area of the image forming device where a reference optical sensor target is positioned, generating a light beam from a carriage-mounted light source disposed at a position adjacent an end of the sensor array, acquiring an image of the reflected light beam by the sensor array, reflecting the beam from the reference target in a known position onto the sensor array, and using the location of a high intensity area of the image along the longitudinal extent of the sensor array to determine said reference position of the optical

Art Unit: 2861

sensor, wherein said reference position is a reference spacing distance of the sensor array from the reference target. The combined limitations as currently claimed are not taught by the prior art of record alone or in combination.

Claims 2-6 and 26-27 are allowed because they are directly or indirectly dependent from claims 1 and 14 above.

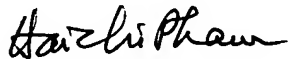
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai C. Pham whose telephone number is (571) 272-2260. The examiner can normally be reached on M-F 8:30AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Talbott can be reached on (571) 272-1934. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2861

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



HAI PHAM
PRIMARY EXAMINER

November 23, 2005